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10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 WALTER BROOKS,

Case No. C 07-02615 SBA (PR)

14 Plaintiff,

15 vs.
16 **STIPULATION TO CONTINUE TRIAL**
17 **DATE AND ALL OTHER DATES**

18 SAN FRANCISCO POLICE
19 DEPARTMENT SERGEANT
20 HAGGETT, Badge # 16,

Date Action filed: January 10,2007
Trial Date: Not set

Defendant.

21 The parties, through their counsel, hereby stipulate and request that the Court continue the
22 trial and all other dates in this matter for one hundred twenty (120) days. The parties request this
23 extension because counsel for both Plaintiff and Defendant learned on Tuesday, December 29, 2009
24 that Plaintiff had been transferred from San Quentin State Prison in Larkspur, California to Avenal
25 State Prison in Avenal, California. Plaintiff had previously stipulated to undergo independent
26 medical and psychological examinations. Defendant had expended several weeks setting up these
27 examinations at San Quentin State Prison, due to visiting and space restrictions. These examinations
28 will now need to be rescheduled at Avenal State Prison. Defendant anticipates a delay of several

1 months in scheduling these examinations. Plaintiff also anticipates encountering difficulties in
 2 communicating with counsel and completing his discovery. Accordingly, the parties request an
 3 extension of the current trial date and associated deadlines, as identified in the Court's Order for
 4 Pretrial Preparation entered October 23, 2010, as follows:

5

6 **A. DISCOVERY CUTOFF.**

7 The deadlines for fact and expert discovery shall be extended for one hundred and twenty
 8 days. Currently, the schedule for experts is as follows:

9 Completion of Fact Discovery February 12, 2010

10 Expert Designation February 12, 2010

11 Completion of Expert Discovery March 26, 2010

12 (Pretrial Preparation Order [Docket Entry # 107]).

13 The parties stipulate to the following schedule for discovery:

14 Completion of Fact Discovery June 13, 2010

15 Expert Designation June 13, 2010

16 Completion of Expert Discovery July 23, 2010

17 **B. MOTION CUTOFF**

18 The deadline for motions shall be extended for one hundred and twenty days. Currently, the
 19 schedule for motions is as follows:

20 Cutoff for Motions June 1, 2010

21 (Pretrial Preparation Order [Docket Entry # 107]).

22 The parties stipulate to the following schedule for discovery:

23 Cutoff for Motions September 29, 2010

24 **C. MANDATORY SETTLEMENT CONFERENCES**

25 The deadline for the mandatory settlement conference shall be extended for one hundred and
 26 twenty days. Currently, the schedule for a mandatory settlement conference is as follows:

1 Mandatory Settlement Conference to take place between June 2, 2010 and June 18, 2010
2 before a Magistrate Judge.
3 (Pretrial Preparation Order [Docket Entry # 107]).

4 The parties stipulate to the following schedule:

5 Mandatory Settlement Conference to take place between September 30, 2010 and October 16,
6 2010.

7 **D. PRETRIAL CONFERENCE**

8 The deadline for the pretrial conference shall be extended for one hundred and twenty days.

9 Currently, the schedule for motions is as follows:

10 Pretrial Conference to take place on July 13, 2010.

11 (Pretrial Preparation Order [Docket Entry # 107]).

12 The parties stipulate to the following schedule:

13 Pretrial Conference to take place on November 10, 2010, or some date thereafter convenient
14 to the Court.

15 **E. TRIAL DATE**

16 The trial date shall be extended for one hundred and twenty days. Currently, the trial date is
17 scheduled as follows:

18 Trial to begin on July 19, 2010.

19 The parties stipulate to the following schedule:

20 Trial to begin on November 15, 2010 or some date thereafter convenient to the Court.

IT IS SO STIPULATED.

Dated: January 4, 2010

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
MEGHAN K. HIGGINS
Deputy City Attorneys

By: /s/ Meghan K. Higgins
MEGHAN K. HIGGINS

Attorneys for Defendant
JOHN HAGGETT

Dated: January 4, 2010

By: _____
BURKE HANSEN

Attorney for Plaintiff
WALTER BROOKS

ORDER

GOOD CAUSE appearing, it is HEREBY ORDERED that pursuant to the foregoing stipulation, the discovery deadlines, the motion cutoff, and the mandatory settlement conference are continued for one hundred twenty days to the dates listed in the parties' stipulation. The trial of this matter is continued to _____, the pretrial conference is continued to _____, at _____ p.m..

IT IS SO ORDERED.

Dated: 1/12/10

By
HOI
Unit

